

Docket Item #9
BZA CASE #2005-0060

Board of Zoning Appeals
November 10, 2005

ADDRESS: 520 ½ SOUTH PITT STREET
ZONE: RM, RESIDENTIAL
APPLICANT: FABRICE AD VICTORIA VASQUES

ISSUE: Special exception to construct a third-story addition on the south side property line.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-1106(A)(2)(a)	Side Yard (South)	5.00 feet	0.00 feet	5.00 feet

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception. This approval is conditional on the review and approval of the Old and Historic Alexandria Board of Architectural Review.

If the Board decides to grant a special exception, it should contain the conditions under the department comments. Special exceptions must also be recorded with the deed of the property in the City's Land Records Office prior to the release of a building permit.

BOARD OF ZONING APPEALS ACTION OF NOVEMBER 10, 2005: On a motion to approve by Mr. Koenig, seconded by Mr. Curry, the special exception was approved by a vote of 7 to 0.

Reason: The application met the requirements for a special exception as outlined in the staff report.

Speakers:

Steve Kolinsky, architect, made the presentation.

Murney Keleher, Historic Alexandria Foundation, spoke in opposition.

(insert sketch here)

I. Issue

The applicants propose to construct a third-story rear addition that aligns with the south building wall of the building located at 520 ½ South Pitt Street. The south building wall of the house is now located on the south side property line.

II. Background

The existing parcel is one lot of record with 25.20 feet of frontage on South Pitt Street, a depth of 113.42 feet and totals 2,824 square feet of lot area. An existing three-story single-family dwelling is located on the front property line facing South Pitt Street, on the south side property line, 5.00 feet from the north side property line and approximately 62.00 feet from the rear property line. The property abuts an alley on the east rear property line. Single-family detached dwellings are located on the north and south side of the subject property.

III. Description

The applicants propose to construct a modest third floor addition that will align with the south building wall of the house now located on the south side property line. The addition measures 20.50 feet by 25.50 feet by 30.75 feet in overall height to the top of the roof facing the south side property line. The proposed third floor addition will accommodate two bedrooms, laundry room, and bathroom. RM zone regulations state that each single-family dwelling provide two side yards of a minimum of 5.00 feet. The proposed third story addition is located 5.00 feet from the north side property line and on the south side property line. Since the proposed project is extending one noncomplying wall along the south side property line, the project is eligible for a special exception. The applicants request a special exception of 5.00 feet from the north side property line.

Upon completion of the work, the proposed third floor will continue to comply with the RM zone floor area and open space requirements. (Refer to floor area calculations). There have been no variances or special exceptions previously granted for the subject property.

The subject property is an individually designated 100 Year Old Building. Any alterations and improvements to the building must be reviewed and approved by the Board of Architectural Review, Old and Historic Alexandria District, both for a Permit to Demolish and for a Certificate of Appropriateness for the one story rear addition. The BAR staff believes the addition will not be very visible from the public right-of-way.

IV. Master Plan/Zoning: The subject property is zoned RM, residential and has been so zoned since 1951, and is identified in the Old Town Small Area Plan for residential land use.

V. Noncomplying structure

The dwelling at 520 ½ South Pitt Street is noncomplying structure with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side (South)	5.00 feet	0.00 feet	5.00 feet

VI. Staff analysis under criteria of section 11-1302

This case asks the Board of Zoning Appeals to rule on whether a third-story addition located on the south side yard meets the standards adopted for a special exception for additions.

Special Exception Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

1. Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.
2. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
3. Whether approval of the special exception will alter the essential character of the area or the zone.
4. Whether the proposal will be compatible with the development in the surrounding neighborhood.
5. Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

VII. Neighborhood Impact

The proposed third-story addition will have minimal impact on the neighborhood.. The proposed third story will be placed on the existing building footprint and align with the south building now located on the south side property line. The addition is intended to blend architecturally with the existing house when viewed from either the rear alley and with little perceived difference when viewed from South Pitt Street. The property is situated in either

side of single-family dwellings that are built to or nearly to the side property lines. The property's lot characteristics are similar as the neighboring lots and the proposal will not create an unreasonable impact on the neighborhood and adjoining properties.

VIII. Light and Air

The proposed addition is located on the existing building footprint and will not project deeper into the lot. The existing house is taller than the most affected building at 522 South Pitt Street (a two-story single-family dwelling). The house at 520 South Pitt Street is located approximately 1.00 feet from the common south side property line with 520 ½ Pitt Street. Because of the existing building's height and placement to the south property line will not cast shadows or deprive the adjoining property of loss of light and air. The north wall of the existing house at 520 South Pitt Street has no windows on the north building facade. The BAR staff state the third floor addition is appropriate as it occurs at the rear of the building. The subject house will appear no taller when viewed directly on from Pitt Street and will be consistent in height with other homes on this section of South Pitt Street.

XI. Location of Improvements

The location of the proposed addition will create the least impact to the most immediate neighbor as it will present a modest "infill" building mass from the side and from the rear. The addition will not project any closer to the south side property line than where the existing dwelling has been built. This proposed improvement is the only location where the footprint of the existing dwelling could be reasonably expanded without eliminating valuable ground level open space.

X. Staff Conclusion

Staff concludes that the third floor rear addition will not have an adverse impact on the adjoining dwellings. The improvement will not alter the character of the neighborhood and will have minimal impact on the neighboring property to the south nor should the addition affect the architectural character of the dwelling. Staff finds that the proposed addition meets the criteria for special exception.

Staff **recommends approval** of the special exception with the condition that the proposed changes be approved by the Old and Historic Alexandria Board of Architectural Review.

STAFF: Hal Phipps, Division Chief, Planning and Zoning
Peter Leiberg, Zoning Manager, Planning and Zoning

DEPARTMENTAL COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

* The applicant is advised that if the variance is approved the following additional comments apply.

Transportation and Environmental Services:

F-1 No comments.

Code Enforcement:

- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-7 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-8 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Recreation (Arborist):

- F-1 There are no trees affected by this plan.

Historic Alexandria (Archaeology):

- F-1 There is low potential for this project (3rd story addition) to disturb archaeological resources. no archaeological action is required.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.